

REMARKS

Claims 2-10 are currently pending in the application. Claim 1 has been canceled without prejudice or disclaimer.

Allowable Subject Matter

Applicants thank the Examiner for indicating that claims 4-6 contain allowable subject matter. Claims 4-6 have been rewritten in independent form and are now allowable.

Claim Rejections - 35 U.S.C. § 102

Claims 1-3, 7 and 9 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Dando (U.S. Patent No. 6,127,926). Claim 1 has been canceled, rendering its rejection moot. Claims 2, 3, 7 and 9 have been amended to depend from claim 4. Therefore, claims 2, 3, 7 and 9 are now allowable at least by virtue of their dependency from claim 4.

Claim Rejections - 35 U.S.C. § 103

Claims 8 and 10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dando in view of Fufidio et al. (U.S. Patent No. 6,720,874). Applicants respectfully traverse.

Claim 8 recites a “start time setting unit for setting a start time of a specific time period as a confirmation hour at which it has been confirmed that all of the house residents returned home”. The Examiner acknowledges that Dando lacks such a feature. The Examiner attempts to correct this deficiency with Fufidio, but Fufidio does not correct the deficiencies of Dando.

In asserting that Fufidio teaches a start time setting unit as claimed, the Examiner states that “since circuitry taught by Fufidio can tr[a]ck employees, the apparatus is also capable of recording the time when all the residents (employees) enter the building (paragraph 3, figure 6,

element 216)". *See* page 4 of the Office Action. Element 216 in Fig. 6 is a step of activating timers. *See* column 13, lines 21-29. A first timer is set to the average walking speed of an individual through a secure portal and the second timer is set based on whether the individual has an object with them. The system can then detect whether the individual is taking longer than expected to pass through the door, and therefore whether there may be some security problem. It is unclear how the Examiner believes that this feature of Fufidio teaches the claimed start time setting unit as it does not disclose anything about setting a start time when it has been confirmed that all the members of any particular group have entered any particular area.

The claimed start time setting unit sets a start time when it has been **confirmed that all of the house residents have returned home**. As noted above, the timer in Fufidio is unrelated to a start time setting unit which deals with the confirmation of all residents returning home. The Examiner corresponds employees or authorized personnel to the claimed house residents. However, Fufidio teaches nothing regarding confirming that all employees, authorized personnel, or members of any specific group enter any specific zone. The Examiner mentions on more than one occasion that the Fufidio apparatus is **capable** of functioning as claimed. However, nothing in Fufidio actually teaches a start time setting unit which functions as claimed and it is unclear how the Examiner believes that Fufidio is capable of such a function. It appears as though the Examiner means that it might be possible to modify Fufidio to include a start time setting unit as claimed, but the only motivation for such a modification would be the present application itself.

Claim 8 is allowable over the combined teachings and suggestions of Dando and Fufidio at least because neither of these references disclose a start time setting unit for setting a start time of a specific time period as a confirmation hour at which it has been confirmed that all of the house residents returned home. Any teaching that Fufidio includes such an element, or includes an element which is capable of performing as the claimed start time setting unit, is absent from the reference. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection of claim 8. Applicants also submit that claim 10 is allowable over the combination of Dando and Fufidio at least for reasons similar to claim 8.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. §1.116
EXPEDITED PROCEDURE
APPLN. NO. 10/522,135

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

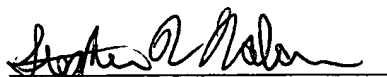
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